

**UNITED STATES BANKRUPTCY COURT  
District of New Jersey**

IN RE: **Michael D King  
Jessica A Lass-King**

Debtor(s)

Case No.: 17-15490  
Judge: ABA  
Chapter: 13

**CHAPTER 13 PLAN AND MOTIONS**

☐ Original  
☒ Motions Included

☒ Modified/Notice Required  
☐ Modified/No Notice Required

☒ Discharge Sought  
☐ No Discharge Sought

Date: July 2017

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The Debtor has paid to date \$2,690 to the Chapter 13 Trustee, and starting on 7/1/2017 shall pay **\$1900** per month for approximately 57 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:



Future Earnings



Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property  
Description:  
Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

## Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$\_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$\_\_\_\_\_ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to \_\_\_\_\_ (creditor).

## Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Bruce C. Truesdale ~BT 0928	Attorney Fees	2,000.00
US Bank Cust/Actlien Holding	Taxes and certain other debts	1,783.97
Borough of Clementon	Taxes and certain other debts	97.98

## Part 4: Secured Claims

### a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
US Bank c/o Specialized Loan Servicing (SLS)	29 Monmouth Ave. Clementon, NJ 08021	\$102,885.60 (Per filed POC)	0%	102,885.60	\$1522.44

### b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in

Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
-NONE-			

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

Creditor  
-NONE-

**e. Secured Claims to be paid in full through the Plan**

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

**Part 5: Unsecured Claims**

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

\_\_\_\_\_ Not less than \$\_\_\_\_\_ to be distributed *pro rata*

\_\_\_\_\_ Not less than \_\_\_\_\_ percent

  x   *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

## Part 7: Motions

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.**

### a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
Capital One Bank USA NA	Judgment	Judgment Lien	8,014.00	148,500.00	0.00	254,573.00	8,014.00
TD Bank USA/Target Credit	Judgment	Judgment Lien	6,751.00	148,500.00	0.00	254,573.00	6,751.00
Midland Funding LLC	Judgment	Judgment Lien	1,841.00	148,500.00	0.00	254,573.00	1,841.00
Midland Funding LLC	Judgment	Judgment Lien	727.00	148,500.00	0.00	254,573.00	727.00
Midland Funding LLC	Judgment	Judgment Lien	2,667.00	148,500.00	0.00	254,573.00	2,667.00
Midland Funding LLC	Judgment	Judgment Lien	1,089.00	148,500.00	0.00	254,573.00	1,089.00
Midland Funding LLC	Judgment	Judgment Lien	3,006.00	148,500.00	0.00	254,573.00	3,006.00

### b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

### c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
-NONE-			

## Part 8: Other Plan Provisions

### a. Vesting of Property of the Estate

- ☒ Upon Confirmation  
☐ Upon Discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) **Other Administrative Claims**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

**d. Post-petition claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9 : Modification**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_.

Explain below <b>why</b> the Plan is being modified.	Explain below <b>how</b> the Plan is being modified
July 2017 - The original plan was filed with a proposed loan modification to cure secured arrearage on Debtors' primary residence. A complete mod package was submitted and a loan modification was offered, however the Debtors were not amenable to the terms. Given such, Debtors have elected to exercise their right to cure the entire arrearage through the chapter 13 plan.	July 2017 - Part 1 was amended to account for the higher plan payment needed to cure the mortgage arrearage and to remove any reference to a loan modification and adequate protection payments. Part 4a was amended to include the mortgage arrearage being cured.

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☒ No

**Part 10: Sign Here**

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date 7/13/2017 /s/ Bruce C. Truesdale  
Bruce C. Truesdale  
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: 7/13/2017 /s/ Michael D King  
Michael D King  
Debtor

Date: 7/13/2017 /s/ Jessica A Lass-King  
Jessica A Lass-King  
Joint Debtor



**Certificate of Notice Page 7 of 8**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Michael D King  
 Jessica A Lass-King  
 Debtors

Case No. 17-15490-ABA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 46

Date Rcvd: Jul 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 16, 2017.

db/jdb  
 cr +Michael D King, Jessica A Lass-King, 29 Monmouth Ave, Clementon, NJ 08021-7114  
 +Borough of Clementon, Office of Public Works, 101 Gibbsboro Road,  
 Clementon, NJ 08021-4035  
 cr +US Bk Cust/Actlien Holding Inc, c/o Pellegrino & Feldstein, LLC, 290 Route 46 West,  
 Denville, NJ 07834-1239  
 516713547 American Express, PO Box 26312, Lehigh Valley, PA 18002-6312  
 516923347 American Express Travel Related Services Company,, Inc., c/o Becket and Lee LLP,  
 PO Box 3001, Malvern PA 19355-0701  
 516713549 +Borough of Clementon, 101 Gibbsboro Road, Clementon, NJ 08021-4035  
 516838109 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 516713551 +Capital One Bank USA NA, Po Box 30285, Salt Lake City, UT 84130-0285  
 516918117 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701  
 516713552 +Chase Card, PO Box 15298, Wilmington, DE 19850-5298  
 516725360 +Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915-3019  
 516774594 +Convergent Outsourcing Inc., 800 SW 39th St, PO Box 9004, Renton, WA 98057-9004  
 516713556 +Department Store National Bank, c/o United Recovery Systems, PO Box 4044,  
 Concord, CA 94524-4044  
 516713557 +Enhanced Recovery Company, LLC, PO Box 1259, Dept 98696, Oaks, PA 19456-1259  
 516713561 +Lyons, Doughty & Veldhuis, 136 Gaither Drive, P.O. Box 1269, Mount Laurel, NJ 08054-7269  
 516847763 +MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011  
 516713562 +Macys, PO Box 8218, Mason, OH 45040-8218  
 516713563 +Midland Funding, 2365 Northside Dr, Suite 300, San Diego, CA 92108-2709  
 516713566 +Northland Group Inc, PO Box 390905, Minneapolis, MN 55439-0905  
 516938762 +Pinnacle Credit Services, LLC its successors and, assigns as assignee of Cellco,  
 Partnership d/b/a Verizon Wireless, Resurgent Capital Services, PO Box 10587,  
 Greenville, SC 29603-0587  
 516713567 +Pinnacle LLC/Resurgent, PO Box 10497, Greenville, SC 29603-0497  
 516713570 +Qualia Collection Services, PO Box 4699, Petaluma, CA 94955-4699  
 516713571 +RBS Citizens NA, c/o Convergent Outsourcing Inc, 800 SW 39th, PO Box 9004,  
 Renton, WA 98057-9004  
 516713573 +SLS, 8742 Lucent Blvd, suite 300, Littleton, CO 80129-2386  
 516713572 +Sears/CBNA, PO Box 6283, Sioux Falls, SD 57117-6283  
 516713578 +TD Bank USA/Target Credit, PO Box 673, Minneapolis, MN 55440-0673  
 516853786 +U.S. Bank National Association, Trustee (See 410), C/O Specialized Loan Servicing LLC,  
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386  
 516907583 +US Bk Cust/Actlien Holding Inc, c/o Deborah Feldstein, Esq., Pellegrino & Feldstein, LLC,  
 290 Route 46 West, Denville, NJ 07834-1239

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 14 2017 23:34:52 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 14 2017 23:34:46 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 cr +E-mail/Text: bankruptcy@fult.com Jul 14 2017 23:36:06 Fulton Bank of New Jersey,  
 533 Fellowship Road, Suite 250, Mt. Laurel, NJ 08054-3411  
 516713548 E-mail/Text: legal@arsnational.com Jul 14 2017 23:34:32 ARS National Services,  
 PO Box 463023, Escondido, CA 92046-3023  
 516713550 +E-mail/Text: cms-bk@cms-collect.com Jul 14 2017 23:34:31 Capital Management Services, LP,  
 698 1/2 South Ogden Street, Buffalo, NY 14206-2317  
 516713553 +E-mail/Text: bankruptcy@affglo.com Jul 14 2017 23:34:53 Citibank/Thehomedepot,  
 c/o Leading Edge Recovery Solutions, 5440 N Cumberland Ave, Suite 300,  
 Chicago, IL 60656-1486  
 516713555 +E-mail/PDF: creditonebknotifications@resurgent.com Jul 14 2017 23:30:22 Credit One Bank,  
 PO Box 98873, Las Vegas, NV 89193-8873  
 516713558 +E-mail/Text: bankruptcy@fult.com Jul 14 2017 23:36:06 Fulton Bank of NJ, 100 Park Ave,  
 Woodbury, NJ 08096-3513  
 516713560 +E-mail/Text: bnckohlsnotices@becket-lee.com Jul 14 2017 23:34:12 Kohls/Capone,  
 PO Box 3115, Milwaukee, WI 53201-3115  
 516825255 E-mail/PDF: resurgentbknotifications@resurgent.com Jul 14 2017 23:30:47  
 LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 516713568 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 14 2017 23:37:44  
 Portfolio Recovery Associates, 120 Corporate Blvd, Suite 100, Norfolk, VA 23502  
 516713569 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 14 2017 23:37:48  
 Portfolio Recovery\*, PO Box 12914, Norfolk, VA 23541  
 516713574 +E-mail/PDF: gecsedirecoverycorp.com Jul 14 2017 23:30:21 Synch/American Eagle,  
 PO Box 965005, Orlando, FL 32896-5005  
 516713575 +E-mail/PDF: gecsedirecoverycorp.com Jul 14 2017 23:31:09 Synch/OLDNAVYDC, PO Box 965005,  
 Orlando, FL 32896-5005  
 516713576 +E-mail/PDF: gecsedirecoverycorp.com Jul 14 2017 23:30:44 Synchrony Bank/Lowes,  
 PO Box 965005, Orlando, FL 32896-5005

District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 46

Date Rcvd: Jul 14, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516713577 +E-mail/Text: bankruptcy@td.com Jul 14 2017 23:34:54 TD Bank, PO Box 219,  
Lewiston, ME 04243-0219  
516815692 +E-mail/Text: bncmail@w-legal.com Jul 14 2017 23:35:01 TD Bank USA, N.A.,  
C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
516713554 E-mail/Text: creditreconciliation@peoples.com Jul 14 2017 23:34:50 Citizens Bank,  
1000 Lafayette Gill, Bridgeport, CT 06604

TOTAL: 18

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

516713559\* +Jessica A Lass-King, 29 Monmouth Ave, Clementon, NJ 08021-7114  
516713564\* +Midland Funding LLC, 2365 Northside Drive, Ste 300, San Diego, CA 92108-2709  
516713565 ##+Nationwide Credit Inc, 2002 Summit Boulevard, Suite 600, Atlanta, GA 30319-1559  
TOTALS: 0, \* 2, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 16, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 13, 2017 at the address(es) listed below:

Bruce C. Truesdale on behalf of Debtor Michael D King brucectruesdalepc@gmail.com,  
bctpcecf@gmail.com/r49787@notify.bestcase.com  
Bruce C. Truesdale on behalf of Joint Debtor Jessica A Lass-King brucectruesdalepc@gmail.com,  
bctpcecf@gmail.com/r49787@notify.bestcase.com  
Deborah T. Feldstein on behalf of Creditor US Bk Cust/Actlien Holding Inc  
dfeldstein@caplaw.net  
Denise E. Carlson on behalf of Creditor U.S. ROF III Legal Title Trust 2015-1, by U.S. Bank  
National Association, as Legal Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
James D. Donnelly on behalf of Creditor Fulton Bank of New Jersey james.d@donnlaw.com,  
jim.donnlaw@gmail.com  
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8